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Office of Court Administration  
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May 17, 2002

**MEMORANDUM TO:      CIRCUIT EXECUTIVES  
                                 FEDERAL PUBLIC/COMMUNITY DEFENDERS  
                                 DISTRICT COURT EXECUTIVES  
                                 CLERKS, UNITED STATES COURTS OF APPEALS  
                                 CLERKS, UNITED STATES DISTRICT COURTS**

**SUBJECT:    Exemption from Electronic Public Access Fees for Attorneys Appointed  
                 Under the Criminal Justice Act (INFORMATION)**

Effective immediately, attorneys appointed under the Criminal Justice Act (CJA) and related statutes<sup>1</sup> are now, automatically, exempt from payment of electronic public access (EPA) fees for work that is performed pursuant to such appointment in all federal courts. Although appointed attorneys have been exempt since 1994 from EPA fees for work related to CJA cases in the jurisdictions where such cases are pending<sup>2</sup>, they have had to apply for credit to the PACER Service Center for charges related to those cases that were incurred in using PACER in other jurisdictions.

This extension of the fee exemption will be applied as part of the regular PACER billing process. Individual courts need not do anything to activate the new procedure.

Attorneys are, of course, permitted to use their fee-exempt accounts only for work related to services authorized under the CJA and related statutes. As a consequence of this automatic exemption, clerks, in the course of monitoring the quarterly fee-exempt reports, may now encounter names of appointed attorneys that are unfamiliar; if clerks have questions in that regard, they should contact the PACER Service Center, and they should certainly do so, as always, if they have reason to believe the exemption policy is being violated.

In general, please advise attorneys appointed under the CJA and related statutes to contact the PACER Service Center at (800) 676-6856, to establish their exempt accounts. If you have

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<sup>1</sup>See Chapter I, Volume VII, Guide to Judiciary Policies and Procedures.

<sup>2</sup>JCUS-SEP 94, pp. 47-48.

any questions concerning this exemption extension, please contact Mary Stickney, Chief of the Electronic Public Access Program Office at (202) 502-1500 or by email at Mary.Stickney/DCA/AO/USCOURTS.



Noel J. Augustyn

cc: CJA District Panel Attorney Representatives  
Theodore J. Lidz, Chief, Defender Services Division  
John P. Hehman, Chief, Appellate Court and Circuit Administration Division  
Robert Lowney, Chief, District Court Administration Division